Environmental Notice

A SEMI-MONTHLY BULLETIN OF THE OFFICE OF ENVIRONMENTAL QUALITY CONTROL



BENJAMIN J. CAYETANO
GOVERNOR

OFFICE OF ENVIRONMENTAL QUALITY CONTROL

GENEVIEVE SALMONSON
DIRECTOR

The Environmental Notice
The Environmental impacts of reviews the environmental Hawaii projects proposed in Hawaii

Other Resources available at OEQC . . .

- Guidebook for Hawai'i's Environmental Review Process
- Environmental Impact Study Resource Library
- Environmental Council Annual Reports
- Rules and Policies
- "How to Plant a Native Hawaiian Garden"

OEQC

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Environmental Laurels to Top Agencies

On May 8, Lieutenant Governor Mazie Hirono and the Environmental Council recognized five agencies for their outstanding work in meeting Hawai'i's ecosystem sustainability goals. The agencies are: County of Maui Department of Public Works and Waste Management (MDPWWM) for requiring mandatory recycling of glass for establishments that possess liquor licenses and using recycled glass in county projects; the State Department of Agriculture (SDOA) for inspecting all incoming shipments of plants, non-domestic animals and microorganisms to prevent the entry of harmful pests and diseases: the City and County of Honolulu Board of Water Supply (HBWS) for expanding community-based watershed planning to every 'ahupua'a of O'ahu;

the County of Hawai'i Fire Department (HFD) for purchasing hazardous materials response equipment and training personnel to properly handle hazardous situations; and, the State Department of **Business, Economic Development and Tourism** (DBEDT) for promoting renewable energy use to reduce our dependence on fossil fuels. (The photograph, taken by Allicyn Tasaka of the Office of the Lieutenant Governor shows, from left to right: environmental council chairperson Colonel William Petti; Barry Usagawa, HBWS; Steven Lim (from Hawai'i, accepting on behalf of the HFD); the Right Honourable Lieutenant Governor Hirono: Lyle Wong, Ph.D., SDOA: Philip Ohta (from Maui, accepting on behalf of the MDPWWM; and, Maurice Kaya, DBEDT).



Seawalls Seek Permits

The City and County of Honolulu has received two more "after-the-fact" seawall permit applications. For more information see pages 3 and 5

New Publication Form

If you are planning to submit a document to OEQC, please use the new publication form on page 17 or download it from our website.

Kawai Nui Marsh Path

The City's Department of Transportation Services (DTS) wants to develop a pathway around the 4.5 mile perimeter of Kawai Nui Marsh, the 830-acre largest remaining wetland in Hawai'i. The pathway will be a combination hiking and multi-use path, stretching from Kailua Road between Le Jardin School and Castle Hospital to Kalaheo High School; and from the Quarry Road to Coconut Grove, Kawai Nui Vista

and Kukanono subdivisions. Parking will be provided and access will be provided by spur trails. Measures will be developed to prevent negative affects to water quality, aquatic species and to cultural/archeological resources. See page 3 for more

Environmental Seminars!

Register for EA seminars at OEQC; see page 16. There is no charge for these seminars.

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OEQC intends to make the information in this bulletin accessible to everyone. Individuals that require this material in a different format (such as large type or braille), should contact our office for assistance.

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Draft Environmental Assessments



(1) Kawai Nui Marsh Pathway

District: Koʻolaupoko

TMK: 4-2-13: 2, 5, 10, 22, 38; 4-2-16: 1, 5, 6

Applicant: City and County of Honolulu

Department of Transportation Services 650 South King Street, 3rd Floor Honolulu, Hawai'i 96813

Contact: Mark Kikuchi (527-5026)

Approving Agency/Accepting Authority: Same as above.

Consultant: Helber Hastert & Fee Planners, Inc.

733 Bishop Street, Suite 2590 Honolulu, Hawai'i 96813 Contact: David Curry (545-2055)

Public Comment

Deadline: June 22, 2002

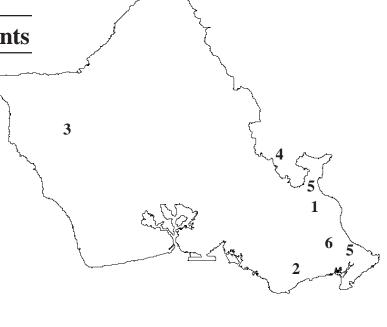
Status: DEA First Notice pending public comment.

Address comments to the applicant with copies to the consultant and OEQC.

Permits

Required: Special management area, CDUP

The City and County Department of Transportation Services is proposing to build a perimeter pathway around Kawai Nui Marsh, the largest remaining wetland in Hawai'i, consisting of 830 acres. The proposed project consists primarily of building a combination hiking and multi-use pathway (divided into five segments) around the marsh. Segment 1 extends from the terminus of the levee to the beginning of Kukanono subdivision. Segment 2 extends from the terminus of Segment 1 to Ulukahiki Street behind Castle Hospital. Segment 3 extends from the terminus of Segment 2 to the area below the intersection of Kailua Road and Kapa'a Quarry Road. Segment 4 extends from the terminus of Segment 3 to the Model Airplane Park. Segment 5 extends from the Model Airplane Park to the intersection of Kapa'a Quarry Road and Mokapu Boulevard. Segment 5 joins to Segment 6 (the existing flood control levee) with a proposed bridge across Oneawa Canal. In addition to the pathway, several spur trails are planned to allow pathway users better access to view the marsh and its wildlife, and parking facilities will be provided in appropriate locations.



The proposed project will also include signage regarding location, prohibited activities, importance of a location, and special instructions on safety, preservation, and pathway boundaries. Signage will be provided at appropriate entry sites, observation points, archeological/cultural sites, wildlife viewing areas, and important vegetation areas.

Planning for the proposed project commenced in 1999 as part of the City's "21st Century O'ahu" community planning process. The scope of work included a community outreach effort that included over 40 potential stakeholders. A series of public meetings wereheld that provided community input into the planning process.

Impacts are anticipated with regard to sedimentation from construction activities, and traffic and noise associated with pathway users. These impacts will be mitigated by employing Best Management Practices (BMPs) during construction, providing parking away from residential neighborhoods, and siting the pathway alignment as far from existing homes as possible. Beneficial impacts will result from enhanced access to the marsh for recreation, education, and data collection.



(2) Morita Company Shoreline Setback Variance for Seawall Addition

District: Honolulu **TMK**: 3-5-3: 10

May 23, 2002

Applicant: Morita Company, Inc.

1580 Makaloa Street, Suite 790 Honolulu, Hawai'i 96814 Contact: Don Kim (952-6399)

Approving Agency/Accepting

Authority: City and County of Honolulu

Department of Planning and Permitting

650 S. King Street, 7th Floor Honolulu, Hawai'i 96813

Contact: Dana Teramoto (523-4648)

Consultant: Roy K. Yamamoto Architect, AIA Inc.

1580 Makaloa Street, Suite 788 Honolulu, Hawai'i 96814

Contact: Roy Yamamoto (942-3666)

Public Comment

Deadline: June 22, 2002

Status: DEA First Notice pending public comment.

Address comments to the applicant with copies to the approving agency or accepting authority, the consultant and OEQC.

Permits

Required: SSV

The applicant is requesting to retain (allow) a 2-foot high Concrete Rubble Masonry (CRM) wall addition to an existing seawall, with a metal fence on top of the addition and fill within the 40-foot shoreline setback.

The property is currently vacant. The CRM seawall is approximately 121 feet long. The certified shoreline survey dated February 25, 2002, follows the makai edge of the seawall. The existing seawall (without the illegal addition) is approximately 7.3 feet high. A 2.4-foot high metal fence is on top of the illegal addition. Additional soil was added on the mauka side of the illegal addition.

The project is located at 4415 Kahala Avenue.



(3) Mt. Ka'ala Land Expansion for 50-Foot Tower Construction

District: Waialua and Wai'anae

TMK: 7-7-01: 1; 6-7-03: 23; 6-7-03: 25

Applicant: Dept. of Accounting and General Services

1151 Punchbowl Street, Room 412

Honolulu, Hawai'i 96813

Contact: Robert Hlivak (586-1930 x 013)

Approving Agency/Accepting

Authority: Department of Land and Natural Resources

1151 Punchbowl Street, Room 130

Honolulu, Hawai'i 96813

Contact: Gilbert Coloma-Agaran (587-0400)

Consultant: J.M. Waller Associates, Inc.

459 N. Kalaheo Kailua, Hawai'i 96734

Contact: Carl Woehrle (263-0200; 781-

1949)

Public Comment

Deadline: June 22, 2002

Status: DEA First Notice pending public comment.

Address comments to the applicant with copies to the approving agency or accepting

authority, the consultant and OEQC.

Permits

Required: CDUA, Building

The State of Hawai'i, Department of Accounting and General Services, Information and Communication Services Division (ICSD) proposes to expand a parcel of land licensed to the ICSD by the U.S. Air Force. The licensed property is contained inside the fenced in area at the Mt. Ka'ala Air Force Station. The increase in parcel size from 510 square feet to 1,161 square feet is necessary to provide space for the foundation of the replacement tower and to correct deficiencies in the original property description that did not include the actual area currently occupied by the ICSD building and its support structures. In addition, the property description needs to be modified to include two rights-of-way to permit a cable passage to off-site antennas and a connection to electrical ground. The rights-of-way were omitted from the previous property description.

The proposed action includes the removal of the existing 25-foot tall tower and replacing it with a 50-foot tall tower on the expanded parcel of land. Additional microwave and whip antennas will be installed on the new tower along with the relocated antennas. The proposed action also includes the exchange of one of the microwave antennas located downhill off Kamaohanui Ridge, within the Natural Area Reserve, with a corner reflector antenna.

In addition, temporary alterations are proposed to relocate the existing antennas to the roof of the ICSD building. The relocation is necessary for signals to clear a new security fence installed by the Federal Aviation Administration until the new tower is completed.

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An environmental assessment was prepared to evaluate the potential impacts of the above-described proposal. Potential impacts to topography, land use, climate, regional geology andsoils, regional hydrogeology, biological resources (vegetation, wetlands, wildlife, rare, threatened/endangered species) were found negligible. In addition, impacts to visual resources/aesthetics, transportation resources and impacts to utilities systems were also found negligible. Impacts to cultural resources were found negligible to minor. Positive negligible socioeconomic impacts were found; and no hazardous substances would be introduced to the area. Based on these findings, no significant impact on human health or the natural environment is anticipated and an environmental impact statement is not required for this action.



(4) Stoutemeyer After-the-Fact Seawall

District: Koʻolaupoko **TMK**: 4-4-21: 36

Applicant: David Stoutemeyer (254-8499)

44-001 'Aina Moi Place Kaneohe, Hawaii 96744

Approving Agency/Accepting

Authority: City and County of Honolulu

Department of Planning and Permitting

650 South King Street Honolulu, Hawai'i 96813

Contact: Ardis Shaw-Kim (527-5349)

Consultant: Analytical Planning Consultants, Inc.

928 Nu'uanu Avenue, Suite 502

Honolulu, Hawai'i 96817

Contact: Donald Clegg (536-5695)

Public Comment

Deadline: June 22, 2002

Status: DEA First Notice pending public comment.

Address comments to the applicant with copies to the approving agency or accepting

authority, the consultant and OEQC.

Permits

Required: Shoreline Setback Variance

The applicants are requesting an after-the-fact approval to retain fill and a loose (unmortared) rock wall that was placed within the 40-foot shoreline setback area. As the fill and rock wall are not indicated in an April 22, 1991 shoreline survey, these structures are presumed to have been constructed subsequent to that date. The wall is about two to three feet high when measured from the seaward side. It

functions as a retaining wall and is at the same grade as the residential lot landward.

The project is located at 44-001 'Aina Moi Place, Kaneohe.



(5) Waimanalo Well III, Production Facility, Access Road & Water Transmission Line

District: Koʻolaupoko **TMK**: 4-1-08: 05 & 80

Applicant: City and County of Honolulu

Board of Water Supply 630 South Beretania Street Honolulu, Hawai'i 96843

Contact: Scot Muraoka (527-5221)

Approving Agency/Accepting

Authority: City and County of Honolulu

Board of Water Supply 630 South Beretania Street Honolulu, Hawai'i 96843

Contact: Clifford Jamile (527-6180) Environmental Planning Services

Consultant: Environmental Planning Services 1314 South King Street, Suite 951

Honolulu, Hawai'i 96814

Contact: Eugene Dashiell (593-8330)

Public Comment

Deadline: June 22, 2002

Status: DEA First Notice pending public comment.

Address comments to the applicant with copies to the approving agency or accepting

authority, the consultant and OEQC.

Permits

Required: Building, Water Use

The City and County of Honolulu Board of Water Supply (BWS) proposes to convert the existing exploratory well in Waimanalo into a production well. In addition to the well, the BWS will construct an access road, pipeline connections, a control tank, and a control building. The well water will be pumped into the control tank and subsequently flow out of that tank to the connection point with the existing BWS 20-inch transmission pipeline along Nonokio Street. The pump size is 0.5 mgd (million gallons per day) or 350 gpm (gallons per minute), operating at 24-hours per day. The route of the access road and transmission pipeline would

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follow the alignment of an existing road to the well, and existing roads through agricultural fields and the dairy to the hook-up with the existing distribution system at Nonokio Street. Water pumped from Waimanalo Well III is for use in Waimanalo. Waimanalo Well III replaces Waimanalo Well I which has been taken out of service due to contamination by alachlor, an agricultural chemical. Electrical and telephone lines will be connected to the facility. Waimanalo Well III was subject of a previous environmental assessment for the exploratory well phase.

Final Environmental Assessments/Findings of No Significant Impacts (FONSI)



(6) Latham Shoreline Setback Variance

District: Honolulu **TMK**: 3-1-41: 24

Applicant: Mr. & Mrs. Larry Latham (262-0302)

1336 Mokulua Drive Kailua, Hawai'i 96734

Approving Agency/Accepting

Authority: City and County of Honolulu

Department of Planning and Permitting

650 South King Street Honolulu, Hawai'i 96813

Contact: Ardis Shaw-Kim (527-5349)

Consultant: Joe Lancor (262-0302)

1336 Mokulua Drive Honolulu, Hawai'i 96817

Status: FEA/FONSI issued, project may proceed.

Permits

Required: Shoreline setback variance

The applicants propose to modify an existing nonconforming dwelling, including the complete replacement of certain existing walls, the expansion and modification of an existing swimming pool, construction of a new pool deck, the alteration of an existing 30-inch high concrete rubble masonry (CRM) fence wall and the replacement of a 4-foot perimeter CRM fence wall with an open cable rail.

The proposed improvements/alterations are located within 40-foot of the certified shoreline (as determined by the State of Hawai'i), and are beyond that which are allowed as

"repair" by the Shoreline Setback regulations, Section 23-1.6, Revised Ordinances of Honolulu (ROH). Therefore, the approval of a Shoreline Setback Variance (SV) is required.

This single-family residence is located at 4310 Kaikoʻo Place (Black Point), Honolulu. Extensive renovation and alteration of this residence have already been completed and remaining alterations, as proposed by the applicant, require the approval of a shoreline setback variance.

This 9,910-square foot parcel is zoned R-7.5, Residential District. The mauka portion (about ½) of the parcel is located in flood Zone X, "Areas determined to be outside the 500-year flood plain," and the makai portion is located in flood Zone A, "Areas inundated by the 100-year flood with no base flood elevation determined" on the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Map (FIRM). The elevation of the makai portion of the property ranges from 10 to14 feet above mean sea level (MSL).

Previously Published Projects Pending Public Comments

Draft Environmental Assessments

★ Kailua Town Center

Applicant: Kane ohe Ranch Company, Ltd.

1199 'Auloa Road

Kailua, Hawai'i 96734-4606

Contact: Kusao & Kurahashi (988-2231)

Approving Agency/Accepting

Authority: City and County of Honolulu

Department of Planning and Permitting

650 South King Street Honolulu, Hawai'i 96813 Contact: Rob Reed (523-4402)

Public Comment

Deadline: June 7, 2002

♣ Pooleka Street Drainage Improvements

Applicant: City and County of Honolulu

Department of Design and Construction 650 South King Street, 11th Floor

Honolulu, Hawai'i 96813

Contact: Gregory Sue (527-6304)

Approving Agency/Accepting Authority: Same as above.

Public Comment

Deadline: June 7, 2002

May 23, 2002

★ Twigg-Smith Residence

Applicant: Michael and Lei'a Twigg-Smith

3007 Hibiscus Drive Honolulu, Hawai'i 96815

Contact: Michael Twigg-Smith (922-3218)

Approving Agency/Accepting

Authority: Department of Land and Natural Resources

1151 Punchbowl Street Honolulu, Hawai'i 96813 Contact: Masa Alkire (587-0385)

Public Comment

Deadline: June 7, 2002

Draft Environmental Impact Statements

♣ Waiau Fuel Pipeline Project

Applicant: Hawaiian Electric Company, Inc.

P.O. Box 2750

Honolulu, Hawai'i 96840-0001 Contact: Ken Fong (543-7746)

Approving Agency/Accepting

Authority: Department of Transportation

Harbors Division 869 Punchbowl Street

Honolulu, Hawai'i 96813-5097 Contact: Jadine Urasaki (587-1927)

Public Comment

Deadline: June 7, 2002



Kaua'i Notices

Previously Published Projects Pending Public Comments

Draft Environmental Assessments

■ Lihu'e Airport Heliport Improvements

Applicant: Department of Transportation

Airports Division

400 Rodgers Boulevard, Suite 700 Honolulu, Hawai'i 96819 Contact: Roy Sakata (838-8600)

Approving Agency/Accepting Authority: Same as above.

Public Comment

Deadline: June 7, 2002

Environmental Impact Statement Preparation Notices

■ Kuhio Highway Improvements, Hanama'ulu

to Kapa'a

Applicant: State Department of Transportation

869 Punchbowl Street Honolulu, Hawai'i 96813 Contact: Patrick Tom (587-6355)

Approving Agency/Accepting

Authority: Governor, State of Hawai'i

c/o Office of Environmental Quality Control 235 South Beretania Street, Suite 702

Honolulu, Hawai'i 96813

Public Comment

Deadline: June 15, 2002 (applicant is extending 30-

day comment period to 75 days)



Maui Notices

May 23, 2002

Draft Environmental Assessments



(1) Maui Lani Elementary School

District: Wailuku **TMK**: 3-8-7: por. 131

Applicant: Department of Education

P.O. Box 2360

Honolulu, Hawai'i 96804

Contact: Sanford Beppu (733-4862)

Approving Agency/Accepting Authority: Same as above.

Consultant: Munekiyo & Hiraga, Inc.

305 High Street, Suite 104 Wailuku, Hawai'i 96793

Contact: Michael Munekiyo (244-2015)

Public Comment

Deadline: June 22, 2002

Status: DEA First Notice pending public comment.

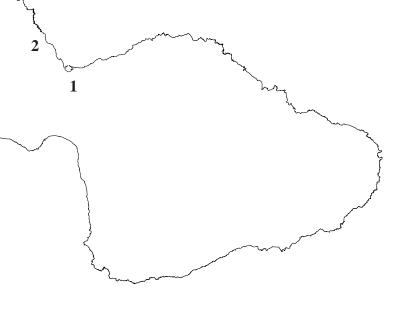
Address comments to the applicant with copies to the consultant and OEQC.

Permits County Special Use, Grading, Grubbing,

Required: Building

The State of Hawai'i, Department of Education, in cooperation with Maui Lani Partners, proposes the development of an elementary school for Kindergarten to Grade 5 on approximately 13.49 acres of land, located in the Wailuku-Kahului Project District (Maui Lani) . The project site is vacant, being overgrown with a variety of plant species, including kiawe trees, haole koa, and other grasses and weeds. Lands surrounding the project site are designated for single- and multi-family uses, park and recreation center uses, public/quasi-public and commercial uses. These lands are presently undeveloped.

The need for an elementary school stems from the implementation of the residential component of the Maui Lani Project District. The 3,300 residential units slated for development within the project district will generate approximately 825 elementary school aged students. As well, additional elementary school facilities are needed to relieve near capacity conditions at Kahului Elementary Schools.



The proposed elementary school and related improvements are for a projected student enrollment of 650 students under a normal school calendar and 865 students under a year round education/multi-track calendar.

The proposed project will have a total gross floor area of approximately 98, 825 square feet comprised of two (2) single-story classroom buildings, a library/administration building, cafetorium, bus shelter, covered playground, outdoor playground, and a 70-stall parking lot. Each classroom building will be approximately 12,500 square feet in area and will provide a total of 35 classrooms. Access into a one-way driveway to a student drop-off/bus shelter and parking lot will be provided off of Kamehameha Avenue.

The lands underlying the proposed project site are currently designated for single- and multi-family use in the Wailuku-Kahului Community Plan. Pursuant to Chapter 19.78, Wailuku-Kahului Project District 1 (Maui Lani), elementary schools are a permitted use in Residential PD-WK/1 district subject to the approval of the County of Maui Planning Commission. An application for a County Special Use Permit to develop an elementary school in a residential district is being filed with the County Planning Department. In addition, an application for Project District Phase II approval is being filed for the proposed project.

Construction of the proposed improvements will commence upon the receipt of all necessary regulatory permits and approvals.

Maui Notices

May 23, 2002

Final Environmental Assessments/Findings of No Significant Impacts (FONSI)



(2) Kupa'a Well No. 1 and Transmission Line

District: Wailuku

TMK: 3-2-001:003 (Portion)
Applicant: County of Maui

Department of Water Supply 200 South High Street Wailuku, Hawai'i 96793

Contact: Herbert Kogasaka (270-7835)

Approving Agency/Accepting

Authority: Same as above. **Consultant**: Chris Hart & Partners

Landscape Architecture and Planning

1955 Main Street, Suite 200 Wailuku, Hawai'i 96793

Contact: Rory Frampton (242-1955) FEA/FONSI issued, project may proceed.

Status: Permits

Required: Pump Installation, Building

The County of Maui, Department of Water Supply (DWS), is proposing the development of Kupa'a Well No. 1, and an associated 16-inch transmission waterline, on the northern slopes of the West Maui Mountains, north of the village of Waihe'e and approximately one mile north of Waihe'e Stream, Waihe'e, Maui, Hawai'i. The proposed well and waterline are part of the larger North Waihe'e Water Source Project, which is intended to relieve stress on the 'Iao Aquifer by providing alternative sources of water for the Central Maui Water System. The development of Kupa'a Well No. 1, which will be the fifth well developed within the system, will provide additional alternatives to service the region's population and economic centers.

The project site is situated approximately 1,000 feet mauka (west) of Kahekili Highway, at an approximate elevation of 640 feet above mean sea level and approximately 4,000 feet from the ocean. The nearest residence is over 1,000 feet north of the well site.

Development of the project will consist of clearing, grubbing, grading; installation of a pump and related electrical controls; 500,000 gallon reservoir; equipment building with disinfection and electrical equipment; piping, fencing, and related work. A 16-inch transmission waterline is planned to carry water from the Kupa'a 500,000 gallon reservoir to Kanoa Well No. 1 where the water will then be transported via an existing 24-inch transmission line to the Central Maui Water System. The short-term impacts associated with these activities are not anticipated to have a significant impact upon existing land uses at the site or in the region.

The project is not anticipated to have any adverse impacts upon existing environmental features such as flora and fauna, topography, soils, or air quality. The project is not anticipated to have an impact upon archaeological or historical features.

The proposed project will not have an adverse impact upon existing socio-economic conditions nor will it have an adverse effect upon existing public services or infrastructure.

In light of the forgoing, the proposed project will not result in significant environmental impacts to the environment and a Finding of No Significant Impact (FONSI) is warranted.

Previously Published Projects Pending Public Comments

Environmental Impact Statement Preparation Notices

Lahaina Watershed Flood Control Project

Applicant: County of Maui

Department of Public Works and Waste

Management

200 South High Street Wailuku, Hawai'i 96793

Contact: Joe Krueger (270-7745)

Approving Agency/Accepting

Authority: Mayor, County of Maui

200 South High Street Wailuku, Hawai'i 96793

Public Comment

Deadline: June 7, 2002 (see also, page 16).

Maui Notices

May 23, 2002

Draft Environmental Impact Statements

Upcountry Town Center

Applicant: Maui Land & Pineapple Company, Inc.

P.O. Box 187

Kahului, Hawai'i 96733-6687 Contact: Donna Clayton (877-3875) Approving Agency/Accepting

Authority: County of Maui Planning Department

> 250 S. High Street Wailuku, Hawai'i 96793

Contact: Colleen Suyama (270-7735)

Public Comment

Deadline: June 7, 2002



Hawai'i Notices

Draft Environmental Assessments



(1) Panaewa Residence Lots, Unit 6

District: South Hilo TMK: 2-2-47:01

Department of Hawaiian Home Lands **Applicant:**

P.O. Box 1879

Honolulu, Hawai'i 96805 Contact: Darrell Ing (586-3844)

Approving Agency/Accepting **Authority**: Same as above.

Consultant: Brian Nishimura (935-7692)

> 101 Aupuni Street, #217 Hilo, Hawai'i 96720

Public Comment

Deadline: June 22, 2002

Status: DEA First Notice pending public comment.

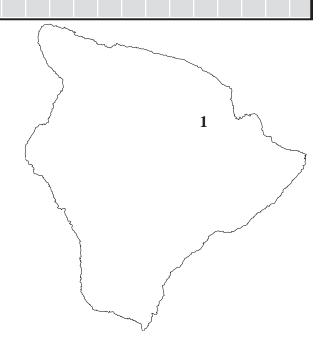
Address comments to the applicant with

copies to the consultant and OEQC.

Permits

Required: NPDES, UIC, Grading, Grubbing

The Department of Hawaiian Home Lands (DHHL) is proposing to develop a 41 lot, single family residential subdivision on approximately 20.796 acres of land in Waiakea, South Hilo, Hawai'i. The proposed Pana'ewa Residence Lots, Unit 6 project will consist of 40 single family residential lots plus on 3.901 acre buffer lot along Pu'ainako Street. The residential parcels will have lot sizes ranging from 15,000 sq. ft. to 23,000 sq. ft. Site improvements shall include roadways, lot grading, drainage system, water system, street tree planting, underground and/or overhead electric,



telephone, and street light system. The DHHL intends to develop the property to standards which are similar to those of the previous increments already developed in the area. Access to the project will be provided by existing Pana'ewa Residence Lot roadways including Keonaona Street, Paipai Street and Pohai Street.

Upon completion, the improved residential parcels will be leased to qualified native Hawaiians in accordance with the Hawaiian Homes Commission Act of 1920, as amended. Income restrictions or requirements have not yet been established for this project.

Construction of the proposed project will commence within one year from the date of preliminary subdivision approval and will be completed within one year thereafter. The estimated cost of construction is approximately \$2.25 million.

Shoreline Notices

May 23, 2002

Shoreline Certification Applications

Pursuant to § 13-222-12, HAR the following shoreline certification applications are available for inspection at the DLNR District Land Offices on Kaua'i, Hawai'i and Maui and at Room 220, 1151 Punchbowl St., Honolulu, O'ahu (Tel: 587-0414). All comments shall be submitted in writing to the State Land Surveyor, 1151 Punchbowl Street, Room 210, Honolulu, Hawai'i 96813 and postmarked no later than fifteen (15) calendar days from the date of the public notice of the application. If there are any questions, please call Nick Vaccaro at 587-0438.

Case No.	Date Rec'd	Description and Location	Applicant	Tax Map Key
HA-093-2	Lot 74 of the Puako Beach Lots (HTS Plat 414-B), Being the Whole of Land Patent Grant 12,474 to Charles G. McGillivray and Lois J. McGillivray, land situated at Lalamilo, Waimea, South Kohala, Island of Hawaii, Hawaii Address: 69-1654 Puako Beach Drive Purpose: Building Permit		Wes Thomas Associates, for Shiozumi (Hawaii), Ltd	6-9-03: 13
Partition of Ha land situated a Address: 22 V		Parcel 3, Being a Portion of Lot 2, Section 4, Second Partition of Hamakuapoko Hui to Alexander and Baldwin, land situated at Kuau, Hamakuapoko, Island of Maui, Hawaii Address: 22 Waa Place Purpose: Building Permit	Akamai Land Surveying, Inc., for Bruce and Pamela Miller	2-6-11: 24

Shoreline Certifications and Rejections

Pursuant to §13-222-26, HAR the following shorelines have been certified or rejected by the DLNR. A person may appeal a certification or rejection to the BLNR, 1151 Punchbowl Street, Room 220, Honolulu, Hawai'i 96813, by requesting in writing a contested case hearing no later than twenty (20) calendar days from the date of public notice of certification or rejection.

Case No.	Date	Location	Applicant	Tax Map Key
HA-202-2	5/10/02 Certified	Lot A Unit A of Puako Beach Lots, land situated at Lalamilo, South Kohala, Island of Hawaii, Hawaii	Don McIntosh consulting, for Nann Hylton	6-9-03: 16
		Address: Non-assigned (Vacant)		
		Purposes: Building Permit		
OA-871	5/10/02 Certified	Lot 26 as shown on Map 1 of Land Court Application 1596, land situated at Wailupe, Waikiki, Island of Oahu, Hawaii	Technical Field Data Services, for Nora Meijide	3-6-01: 26
		Address: 260 Wailupe Circle		
		Purpose: Building Permit		
HA-257	5/10/02 Certified	Lot 4 of Lanihau Point Subdivision (File Plan 2071), being a portion of R.P. 7456, Land Commission Award 8559-B, Apana 11 to William C. Lunalilo, land situated at Lanihau Nui, North Kona, Island of Hawaii, Hawaii	R.M. Towill Corporation, for Clifford C. and Katherine L. Dias	7-5-05: 96
		Address: Vacant		
		Purpose: Building Permit		
HA-256	5/10/02 Certified	Lot 6-F, Portion of Grant 3232, Apana 2 to Naahumakua, land situated at Kamaili-Kaueleau, Puna, Island of Hawaii, Hawaii	The Independent Hawaii Surveyor, for E.J. Paterson, Trust	1-3-02: 89
		Address: Vacant		
		Purpose: Building Permit		

Pollution Control Permits

May 23, 2002

Department of Health Permits

The following is a list of some pollution control permits currently being reviewed by the State Department of Health. For more information about any of the listed permits, please contact the appropriate branch or office of the Environmental Management Division at 919 Ala Moana Boulevard, Honolulu.

Branch Permit Type	Applicant & Permit Number	Project Location	Pertinent Date	Proposed Use
Clean Air Branch, 586-4200, Noncovered Source Permit	Tosco Corporation NSP 0382-01-N (Renewal)	1 Kawaihae Road, Kawaihae, Hawaii	Issued: 5/6/02	Kawaihae Petroleum Bulk Loading Terminal
Clean Air Branch, 586- 4200, Temporary Noncovered Source Permit	American Hauling, Inc. NSP 0516-01-NT	Various Temporary Sites, State of Hawaii Initial Location: Kapolei, Oahu	Issued: 5/8/02	200 TPH Portable Crushing Plant with 390 hp Diesel Engine Generator
Clean Air Branch, 586- 4200, Noncovered Source Permit	Hess Microgen, LLC NSP 0518-01-N	UTM: 2432801m N, 412719m E (NAD-83) Kekaha, Kauai	Issued: 5/9/02	900 kW Cogeneration Facility
Clean Air Branch, 586- 4200, Temporary Covered Source Permit	Grace Pacific Corporation CSP 0045-02-CT (Amendment)	91-920 Farrington Highway, Kapolei, Oahu	Issued: 5/10/02	334 TPH Hot Mix Asphalt Facility

Coastal Zone News

Federal Consistency Reviews

The Hawai'i Coastal Zone Management (CZM) Program has received the following federal actions to review for consistency with the CZM objectives and policies in Chapter 205A, Hawai'i Revised Statutes. This public notice is being provided in accordance with section 306(d)(14) of the National Coastal Zone Management Act of 1972, as amended. For general information about CZM federal consistency please call John Nakagawa with the Hawai'i CZM Program at 587-2878. For neighboring islands use the following toll free numbers: Lana'i & Moloka'i: 468-4644 x72878, Kaua'i: 274-3141 x72878, Maui: 984-2400 x72878 or Hawai'i: 974-4000 x72878.

For specific information or questions about an action listed below please contact the CZM staff person identified for each action. Federally mandated deadlines require that comments be received by the date specified for each CZM consistency review and can be mailed to: David W. Blane, Director, Office of Planning, Department of Business, Economic Development and Tourism, P.O. Box 2359, Honolulu, Hawaii 96804. Or, fax comments to the Hawaii CZM Program at 587-2899.

(1) Emergency Maintenance Dredging at Anini Ramp and Waikaea Canal Access Channel, Kaua'i

Applicant: Department of Land and Natural Resources,

Division of Boating and Ocean Recreation

Contact: Vaughan Tyndzik, District

Manager, (808) 245-8028

Federal Action: Department of the Army Permit

(200200301)

Federal Agency: U.S. Army Corps of Engineers

Contact: Lolly Silva, 438-7023

Location: 'Anini & Kapa'a, Kaua'i

TMK: 5-3-5 ('Anini) & 4-5-6 (Waikaea)

CZM Contact: John Nakagawa, 587-2878

Proposed Action:

Maintenance dredge 40 cubic yards each at the Anini Ramp and the Waikaea Canal Access Channel. The maintenance dredging is necessary because flooding and shifting of sand at both locations is causing propeller damage and limiting access into these areas.

Comments Due: June 6, 2002

Coastal Zone News

May 23, 2002

Special Management Area (SMA) Minor Permits

Pursuant to Hawai'i Revised Statute (HRS) 205A-30, the following is a list of SMA Minor permits that have been approved or are pending by the respective county/state agency. For more information about any of the listed permits, please contact the appropriate county/state Planning Department. City & County of Honolulu (523-4131); Hawai'i County (961-8288); Kaua'i County (241-6677); Maui County (270-7735); Kaka'ako (587-2878).

	Location (TMK)	Description (File No.)	Applicant/Agent
Honolub: Shabab's Construct a new wooden trellis (2002/SAM-10) Colony Surf Lid. (Dension City 11, 12) Corpl. Analytical Planning Construct a new wooden trellis (2002/SAM-10) Colony Surf Lid. (Dension City 13-28, 10, 11, 12) Corpl. Analytical Planning Consultants (2013-28-21) Construct a new wooden trellis (2002/SAM-10) Colony Surf Lid. (Dension City 13-12-8, 10, 11, 12) Corpl. Analytical Planning Consultants (2013-28-25) Mani: Lahaina (4-4-13:8) Reconstruct single family dwelling (SMX-20020163) - Pending Mark Roher McDonald Mani: Chel. 13-18) First dwelling - Kana Bayview (SMX-20020164) - Pending Mark Roher McDonald Mani: Chel. 3-31:18) Shallow kids pool and side (SMX-20020183) - Pending Mark Roher McDonald Mani: Chel. 3-3-31:35) Single family residence (SMX-20020165) - Pending Mark Roher McDonald Mani: Chel. 3-3-31:35) Single family residence (SMX-20020165) - Pending Mark Spencer Mani: Chel. 3-3-3:7) Swimming pool (SMX-20020165) - Pending Mark Spencer Mani: Chel. 3-3-3:7) Swimming pool (SMX-20020165) - Pending John Collistrap Villy Negre Mani: Kaupo (1-7-3:16) Mani: Kaupo (1-7-3:16) Family room and deck additional (SMX-20020160) - Pending James Niess Mani: Kaupo (1-7-3:16) Move house 49' on property (SMX-20020171) - Pending James Niess Mani: Lahaina (4-3-2: S5) Mani: Chalaina (4-6-6: 2-story addition (SMX-20020172) - Pending James Niess Mani: Lahaina (4-4-8: 2-story addition (SMX-20020173) - Pending James Niess Mani: Lahaina (4-4-8: 2-story addition (SMX-20020173) - Pending Dani Mani: Lahaina (4-6-6) Mani: Chel. 3-3-3:29 Mani: Spenckelsville Mani: Chel. 3-3-3:29 Mani: Chel. 3-3-3:29 Mani: Chel. 3-3:29 Mani: Ch	Honolulu: Kahe (9-2-3:27)	Replace storage shed at the Kahe Power Plant (2002/SMA-17)	Hawaiian Electric Company,
	Hanalulus Kabalulu	Trutall additional and for a suitament achieve at animin telegraphic	
Honolub: Diamond Head (3-3-32-8,10, 11,12)			A1&1 wifeless Services
Maui: Lahaina (4-5-3: 6) New single family dwelling (SMX-20020162) - Pending Mark Robert McDonald Mark Rob			Colony Surf Ltd. (Dension
Maui: Lahaina (4-5-3:6) New single family dwelling (SMX-20020162) - Pending Fice Golting Maui: Lahaina (4-4-13:8) Shallow kids pool and slide (SMX-20020188) - Pending Anthony M. Meyers Maui: Chal-13:8) First dwelling (SMX-20020160) - Pending Anthony M. Meyers Maui: Kihei (3-9-31:35) Single family residence (SMX-20020161) - Pending Christopher Handley Maui: Kihei (3-9-44:42) Add loft & int. renovation to apt. (SMX-20020165) - Pending Lisa Mullen Maui: Kihei (3-9-34:37) Add loft & int. renovation to apt. (SMX-20020165) - Pending Lisa Mullen Maui: Paia (2-6-4:16) Add loft & int. renovation to apt. (SMX-20020166) - Pending Lisa Mullen Maui: Paia (2-6-4:16) Interior and exterior renovation (SMX-20020168) - Pending Lisa Mullen Maui: Anainai (4-6-6:	(3-1-32-8, 10, 11, 12)	, , ,	
Maui: Paia (3-8-2; 25) Reconstruct single family dwelling (SMX-20020163) - Pending Maui: Lahaina (44-13: 8) Shallow kids pool and slide (SMX-20020160) - Pending Mark Corba Maui: Kihei (3-9-31: 35) Single family residence (SMX-20020161) - Pending Mark Corba Maui: Kihei (3-9-34: 48) Drainage reserve/retention basin (SMX-20020165) - Pending Mark Spencer Maui: Kihei (3-9-34: 42) Add Iof & int. renovation to apt. (SMX-20020165) - Pending Mark Spencer Maui: Kihei (3-9-34: 42) Add Iof & int. renovation to apt. (SMX-20020165) - Pending John C. Gillstrap John C. Gillstrap			
Maui: Lahaina (44-13: 8)			
Maui: Kihei (3-9-51-35) First dwelling - Kuan Bayview (SMX-20020161) - Pending Mark Corba Maui: Kihei (3-9-51-35) Single family residence (SMX-20020165) - Pending Mark Spencer Maui: Kihei (3-9-43-42) Drainage reserve/retention basin (SMX-20020165) - Pending Mark Spencer Maui: Kihei (3-9-33-7) Swimming pool (SMX-20020167) - Pending John C. Gillstrap John C. Gillstrap Maui: Paia (2-6-4-16) Interior and exterior renovation (SMX-20020169) - Pending James S. Niess Maui: Lahaina (4-3-2:			
Maui: Kihei (3-9-31:35) Single family residence (SMX-20020161) - Pending Christopher Handley Maui: Kihei (3-9-34:4) Add loft & int. renovation to apt. (SMX-20020166) - Pending Lisa Mullen Maui: Kihei (3-9-33:7) Add loft & int. renovation to apt. (SMX-20020166) - Pending Lisa Mullen Maui: Paia (2-6-4:16) Family room and deck additional (SMX-20020168) - Pending John C. Gillstrap Maui: Paia (2-6-4:16) Interior and exterior renovation (SMX-20020169) - Pending James S. Niess Maui: Labaina (4-3-2: 8) Move house 49° on property (SMX-20020170) - Pending Larry Quam SS) Maui: Labaina (4-6-6: 8) Addition (SMX-20020172) - Pending Larry Quam SS) Maui: Labaina (4-6-6: 8) Stream bank repair (SMX-20020173) - Pending William Moffett Maui: Paia (2-6-12: 46) Unit #264 upgrade interior finishes (SMX-20020174) - Pending Doan Maui: Rihei (3-9-30: 29) New dwelling/garage/lanai (SMX-20020175) - Pending David Lundquist Maui: Rihei (3-9-30: 29) New dwelling/garage/lanai (SMX-20020177) - Pending David Lundquist Maui: Rihei (3-9-32: 6) New residence (SMX-20020180) - Pending David Lundquist Maui: Rihei (3-9-32: 6) New residence (SMX-20020181) - Pending David Lundquist New Fail (4-5-1: 8) New residence (SMX-20020181) - Pending David Lundquist Maui: Rapalua (4-2-1: #83 - The Ironwoods (SMX-20020181) - Pending David Lundquist Maui: Rapalua (4-2-5: 4) Renovation and addition (SMX-20020181) - Pending David Lundquist Maui: Rapalua (4-2-5: 4) Renovation and addition (SMX-20020181) - Pending David Lundquist Maui: Lahaina Privacy wall (SMX-20020183) - Pending David Lundquist Maui: Lahaina (4-5-1: 2) Ungrade front window (SMX-20020183) - Pending David Lundquist Maui: Lahaina (4-5-1: 2) Ungrade front window (SMX-20020183) - Pending David Lundquist Maui: Lahaina (4-6-3: 2) Shade house and greenbouse (SMX-20020183) - Pending David Lundquist David Lundquist David Lundquist David Lundquist David Lundquist David Lundqui			
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Maui: Kihei (3-9-41-42)			
Maui: Rihei (3-9-33:7)			
Maui: Paia (2-5-13:15)			
Maui: Paia (2-6-4: 16)			
Maui: Kaupo (1-7-3:16)			
Maui: Lahaina (4-3-2; Move house 49' on property (SMX-20020171) - Pending Larry Quam			
Maui: Lahaina (4-6-6: 2-story addition (SMX-20020172) - Pending Nguyen, Kimanh Thi & Doan Maui: (4-3-19: 46) Stream bank repair (SMX-20020173) - Pending William Moffett William Moffett Maui: Lahaina (4-4-8: Unit #264 upgrade interior finishes (SMX-20020174) - Pending Bernadette P. Medeiros Unit #226 upgrade interior finishes (SMX-20020175) - Pending Burnadette P. Medeiros Unit #226 upgrade interior finishes (SMX-20020175) - Pending David Lundquist Maui: Kihei (3-9-30: 29) New dwelling/garage/lanai (SMX-20020177) - Pending Roxanne Cresko Maui: Spreckelsville New residence (SMX-20020180) - Pending Nicholas T. Wagner (3-8-2: 75) New residence (SMX-20020180) - Pending Nicholas T. Wagner Naui: Kihei (3-9-20: 6) Construct new residence (SMX-20020181) - Pending Donald B. Johnson Maui: Kapalua (4-2-1: #83 - The Ironwoods (SMX-20020183) - Pending Donald B. Johnson Maui: Paia (2-6-5: 4) Renovation and addition (SMX-20020183) - Pending Donald B. Johnson Maui: Lahaina Privacy wall (SMX-20020185) - Pending Lloyd Sueda Maui: Lahaina Retaining walls (SMX-20020185) - Pending Robert De Foe Maui: Lahaina (4-5-1: 2) Shade house and greenhouse (SMX-20020187) - Pending Anna-Maria Palomino Maui: Lahaina (4-3-5: 4) Utility line relocation - overhead (SMX-20020199) - Pending County of Maui Maui: Lahaina (4-3-5: 3) Interior alterations - Unit 106 (SMX-20020199) - Pending County of Maui Maui: Lahaina (4-6-30: Alterations to interior of unit #302 (SMX-20020199) - Pending Siddeley Family Trust Adding dormers (SMX-20020198) - Pending Dathan & Alicia Bicoy Maui: Lahaina (4-6-31: Adding dormers (SMX-20020198) - Pending Siddeley Family Trust Single-family residence (SMX-20020199) - Pending Dathan & Alicia Bicoy Maui: Lahaina (4-6-7: Single-family residence (SMX-20020046) Neil Hasegawa Maui: Lahaina (4-6-7: Single-family residence (SMX-20020046) Neil Hasegawa Maui: Lahaina (4-6-7: Single-family residence (SMZ-20020046) Neil H			
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Maui: (4-3-19: 46) Stream bank repair (SMX-20020173) - Pending William Moffett Maui: Lahaina (4-4-8: Unit #264 upgrade interior finishes (SMX-20020175) - Pending Bernadette P. Medeiros 22) Unit #264 upgrade interior finishes (SMX-20020175) - Pending David Lundquist Maui: Paia (2-6-12: 46) 2-bedroom addition to dwelling (SMX-20020176) - Pending David Lundquist Maui: Spreckelsville New dwelling/garage/lanai (SMX-20020177) - Pending Roxanne Cresko Maui: Spreckelsville New residence (SMX-20020180) - Pending Nicholas T. Wagner (3-8-2: 75) Maui: Kihei (3-9-22: 6) Construct new residence (SMX-20020181) - Pending Medel Aquino Maui: Kihei (3-9-22: 6) Construct new residence (SMX-20020182) - Pending Donald B. Johnson 30) Maui: Paia (2-6-5: 4) Install grease inceptor (SMX-20020183) - Pending James Fuller Maui: Lahaina (4-5-1: 8) Retaining walls (SMX-20020184) - Pending Robert De Foe Maui: Lahaina (4-5-1: 8) Retaining walls (SMX-20020185) - Pending Stan Silbert Maui: Lahaina (4-5-1: 2) Upgrade front window (SMX-20020189) - Pending Anna-Maria Palomino Maui: Wailea (2-1-8:46) Utility line relocation - overhead (SMX-20020190) - P	`	2-story addition (SM X-200201/2) - Fending	
Maui: Lahaina (4-4-8:		Stream bank repair (SMX-20020173) - Pending	
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Maui: Kihei (3-9-22: 6) Construct new residence (SMX-20020181) - Pending Medel Aquino	Maui: Spreckelsville	New residence (SMX-20020180) - Pending	Nicholas T. Wagner
Maui: Kapalua (4-2-1: #83 – The Ironwoods (SMX-20020182) – Pending Donald B. Johnson			_
Maui: Kapalua (4-2-1: #83 – The Ironwoods (SMX-20020182) – Pending Donald B. Johnson	Maui: Kihei (3-9-22: 6)	Construct new residence (SMX-20020181) - Pending	Medel Aquino
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Federal Notices

May 23, 2002

Categorical Exemption and Supplemental Environmental Assessment for the Pink Hibiscus Mealybug

The Animal and Plant Health and Inspection Service of the U.S. Department of Agriculture (APHIS) is advising the public that a supplemental environmental assessment (EA) has been prepared by the Animal and Plant Health Inspection Service relative to the control of pink hibiscus mealybug, Maconellicoccus hirsutus. APHIS stated that that the SEA contains its detailed review and analysis of potential environmental impacts to Hawai'i and other states and territories associated with the release of this biological control agent. Pink hibiscus mealybug (PHM) is a foreign plant pest that attacks a wide variety of agricultural and ornamental plant hosts. It has invaded areas in Guam, Hawai'i, California, the U.S. Virgin Islands, and Puerto Rico, and it is expected that PHM will invade the southern regions of the United States. The purpose of the proposed release is to suppress PHM infestations. APHIS has also issued a declaration that the proposed action in the supplemental EA is "categorically exempt" from the requirements of the National Environmental Policy Act of 1969. APHIS states that the supplemental EA considers the effects of, and alternatives to, the release of non-indigenous organisms into the environment for use as biological control agents to suppress pink hibiscus mealybug infestations. APHIS is making this EA available to the public for review and comment and it will consider all comments we receive that are postmarked, delivered, or e-mailed by June 3, 2002. To send com-



ments, please send four copies of your comment (an original and three copies) to: Docket No. 02-034-1, Regulatory Analysis and Development, PPD, APHIS, Station 3C71, 4700 River Road Unit 118, Riverdale, MD 20737-1238. Please state that your comment refers to Docket No. 02-034-1. If you use e-mail, address your comment to

regulations@aphis.usda.gov. Your comment must be contained in the body of your message; do not send attached files. Please include your name and address in your message and "Docket No. 02-034-1" on the subject line. For details, please call Dr. Dale Meyerdirk, Agriculturist, PPQ, APHIS, 4700 River Road Unit 135, Riverdale, MD 20737-1236, telephone (301) 734-5220 (see, 67 F.R. 22038, May 2, 2002)

Prudency Determination and Proposed Critical Habitat for Plants in the Northwestern Hawaiian Islands

The U.S. Fish and Wildlife Service (FWS) wants to propose critical habitat for five (*Amaranthus brownii*, *Mariscus pennatiformis*, *Pritchardia remota*, *Schiedea verticillata*, and *Sesbania tomentosa*)

of the six plant species known historically from the Northwestern Hawaiian Islands (Nihoa Island, Necker Island, French Frigate Shoals, Gardner Pinnacles, Maro Reef, Laysan Island, Lisianski Island, Pearl



and Hermes Atoll, Midway Atoll, and Kure Atoll) that are listed under the Endangered Species Act of 1973, as amended. Critical habitat is not proposed for Cenchrus agrimonioides var. laysanensis as it has not been seen in the wild for over twenty years and no viable genetic material of this variety is known to exist. FWS wants to propose critical habitat designations for five species on three islands (Nihoa, Necker, and Laysan) totaling approximately 1,232 acres. If this proposal is made final, section 7 of the Act requires Federal agencies to ensure that actions they carry out, fund, or authorize do not destroy or adversely modify critical habitat to the extent that the action appreciably diminishes the value of the critical habitat for the conservation of the species. Section 4 of the Act requires us to consider economic and other relevant impacts of specifying any particular area as critical habitat. FWS wants data and comments from the public on all aspects of this proposal, including data on the economic and other impacts of the proposed designations. FWS may revise this proposal to incorporate or address new information received during the comment period. Send comments before July 15, 2002. Public hearing requests must be received by June 28, 2002. Submit comments and materials concerning this proposal to the Field Supervisor, U.S. Fish and Wildlife Service, Pacific Islands Office, 300 Ala Moana Blvd., P.O. Box 50088, Honolulu, Hawai'i 96850-0001. Hand-deliver written comments to FWS's Pacific Islands Office at 300 Ala Moana Blvd., Room 3-122, Honolulu. For more information call Paul Henson at (808) 541-3441 (see, 67 F.R. 34521, May 14, 2002).

Notice of Intent to Prepare an EIS for Sea Turtle Conservation

The National Marine Fisheries Service (NMFS) has announced its intent to prepare an EIS to assess the potential impacts on the human environment of sea turtle interactions with fishing activities in State of Hawai'i waters associated with an application for an individual ITP submitted by the State of Hawai'i Department of Land and Natural Resources. NMFS is responsible for analyzing these permit applications and authorizing those which meet legal requirements.

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NMFS also announces the extension of the comment period on the ITP application. Written comments on fisheries/sea turtle interactions or other information that NMFS should consider in preparing the EIS, as well as written comments from interested parties on the permit application and conservation plan are requested and must be received no later than 5 P.M.Eastern daylight time on or before June 10, 2002. Comments on the proposal to prepare an EIS, comments on the application for an individual ITP, and requests for copies of the application for the individual ITP should be sent to: Chief, Endangered Species Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Silver Spring, MD 20910. Comments may also be sent via telephone facsimile to (301) 713-0376. Comments will not be accepted if submitted via e-mail or the Internet. Notice of public meetings will be announced at a later date through notice in the Federal Register. For details call Margaret Akamine Duprée at (808) 973- 2935; alternatively, electronic mail may be sent to Margaret. Dupree@noaa.gov (see, 67 F.R. 31172, May 9, 2002).

Amendment to Marine Mammal Scientific Research Permit No. 848-1335-08, through December 2002.

The National Marine Fisheries Service (NMFS) has given notice that its Honolulu Laboratory, Southwest Fisheries Science Center, 2570 Dole Street, Honolulu, Hawaii 96822-2396 (Dr. R. Michael Laurs, Director; Principal Investigator), has been issued an amendment to scientific research Permit No. 848-1335-08 to extend the expiration date through December 31, 2002. The amendment and related documents are available for review by written request or appointment. Contact the rotected Species Coordinator, Pacific Area Office, NMFS, 1601 Kapi olani Boulevard, Room 1110, Honolulu, Hawai 196814-4700, telephone (808) 973-2935; telephone facsimile (808) 973-2941). For details call Ruth Johnson or Amy Sloan at (301) 713-2289 (see, 67 F.R. 34909, May 16, 2002).

Suspension of Flood Insurance Program for Unincorporated Areas in Maui County

FEMA has issued a final rule (categorically exempted from the requirements of the National Environmental Policy Act of 1969, as amended) that identifies communities, where the sale of flood insurance under the National Flood Insurance Program (NFIP) has been suspended on the effective dates listed within this rule because of noncompliance with the floodplain management requirements of the program. If the Federal Emergency Management Agency (FEMA) receives documentation that the community has adopted the required flood plain management measures prior to the effective suspension date given in this rule, the suspension will be withdrawn by publication in the Federal Register. In Hawai'i, various unincorporated areas in Maui County have been suspended, effective May 15, 2002. Contact Edward Pasterick, Division Director, Program Marketing and Partnership Division, Federal Insurance Administration and Mitigation Directorate, 500 C Street, SW; Room 411, Washington, DC 20472, telephone (202) 646-3098 for details (see, 67 F.R. 30329, May 6, 2002).

EPA and U.S. Army Corps of Engineers Agree on Definitions for "Fill Material" and Its Discharge

Effective June 10, 2002, the U.S. Army Corps of Engineers (Corps) and the Environmental Protection Agency (EPA) have promulgated a final rule to reconcile EPA's Clean Water Act (CWA) section 404 regulations defining the term "fill material" and to amend the Corps' definitions of "discharge of fill material." The final rule completes the rulemaking process initiated by the April 20, 2000, proposal in which both EPA and the Corps jointly proposed to amend their respective regulations so that both agencies would have identical definitions of these key terms. The proposal was intended to clarify the Section 404 regulatory framework and generally to be consistent with existing regulatory practice. The final rule defines "fill material" in both the Corps' and EPA's regulations as material placed in waters of the U.S. where the material has the effect of either replacing any portion of a water of the United States with dry land or changing the bottom elevation of any portion of a water. The examples of "fill material" identified in today's rule include rock, sand, soil, clay, plastics, construction debris, wood chips, overburden from mining or other excavation activities, and materials used to create any structure or infrastructure in waters of the U.S. This rule retains the effects-based approach of the April 2000 proposal and reflects the approach in EPA's longstanding regulations. The final rule, however, includes an explicit exclusion from the definition of "fill material" for trash or garbage. The final rule also includes several clarifying changes to the term "discharge of fill material." Specifically, the term "infrastructure" has been added in several places following the term "structure" to further define the situations where the placement of fill material is considered a "discharge of fill material." In addition, the phrases "placement of fill material for construction or maintenance of any liner, berm, or other infrastructure associated with solid waste landfills" and "placement of overburden, slurry, or tailings or similar mining-related materials"have been added to the definition of "discharge of fill material"to provide further clarification of the types of activities regulated under section 404. As indicated in the proposal, as a general matter, this final rule will not modify existing regulatory practice. The final rule, which establishes uniform language for the Corps' and EPA's definitions of "fill material" and "discharge of fill material," will enhance the agencies' ability to protect aquatic resources by ensuring more consistent and effective implementation of CWA. For information on today's rule, contact either Mr. Thaddeus J. Rugiel, U.S. Army Corps of Engineers, ATTN CECW- OR, 441 "G" Street, NW., Washington, DC 20314-1000, telephone (202) 761-4595, e-mail address: thaddeus.j.rugiel@hq02.usace.army.mil, or Ms. Brenda Mallory, U.S. Environmental Protection Agency, EPA West, Office of Wetlands, Oceans and Watersheds (4502T), 1200 Pennsylvania Avenue, NW., Washington, DC 20460, telephone: (202) 566-1368, e-mail address: mallory.brenda@epa.gov (see, 67 F.R. 31129, May 9, 2002).

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Wake Island Code

Effective April 10, 2002, and after receiving and responding to public comments on its proposed rule (see, 65 F.R. 63826), the U.S. Department of the Air Force has issued a final rule revising the Wake Island Code to reflect current and anticipated use. For details, call Mr. Philip Sheuerman at (703) 695-4691 (see, 67 F.R. 16997, April 9, 2002).

Honoka'a Power Plant Before the Federal Energy Regulatory Commission

The Federal Energy Regulatory Commission (FERC) has issued a notice that on March 21, 2002, HC Pacific, LLC, a Delaware limited liability company with its principal office located at 1221 Avenue of the Americas, New York, NY 10020, filed with the FERC an Application for determination that it is an exempt wholesale generator pursuant to Part 365 of the Commission's regulations and Section 32 of the Public Utility Holding Company Act of 1935, as amended. HHC has stated that it is a Delaware limited liability company that will be engaged in owning an approximately 63 MW net naphta and distillate oil-fired power plant in Honoka'a on the island of Hawai'i. Read the Federal Register notice, especially Standard Paragraph E, and file comments with FERC on or before April 23, 2002 (see, 67 F.R. 17685, April 11, 2002).

Notice of Intent to Prepare EIS for the Lahaina Watershed Project

Pursuant to NEPA, the Natural Resources Conservation Service of the U.S. Department of Agriculture (NRCS) has issued its notice of intent to prepare an EIS for the Lahaina Watershed Project in Maui County, Hawai'i. The Chapter 343, HRS notice for this joint State-Federal project was published in the May 8, 2002, edition of the *Environmental Notice*. For questions related to the NEPA process for this project, contact Kenneth M. Kaneshiro of NRCS at (808) 541-2600, extension 100 (see, 67 F.R. 19544, April 22, 2002).

Interagency Environmental Justice Working Group

The U.S. Environmental Protection Agency (EPA), Interagency Working Group on Environmental Justice (IWG) is soliciting a second round of nominations for collaborative partnerships working to address local environmental justice concerns. Nominations must be submitted to the U.S. Environmental Protection Agency and postmarked no later than midnight, Thursday, August 16, 2002. Call Willard Chin of EPA Region 9 at (415) 972-3797, electronic mail at chin.willard@epa.gov (see, 67 F.R. 20406, April 24, 2002).

Environmental Council Notices

Environmental Council Meetings (Tentative)

The next meetings of the environmental council will be tentatively held on Wednesday, June 12, 2002, at 1:30 p.m. Please call OEQC at 586-4185 on June 6, 2002 to confirm the meeting.

General Environmental Assessment Seminars

The Office of Environmental Quality Control will present two-session seminars on environmental assessment (under Chapter 343, Hawai'i Revised Statutes) to be held at OEQC, 235 South Beretania Street, Room 702, on the following dates and times:

SESSION 1: Mondays, June 3, 2002, and June 17, 2002; both days from 10:00 a.m. to noon in the OEQC Library. SESSION 2: Wednesdays, June 5, 2002, and Wednesday, June 19, 2002; both days from 9:00 a.m. to 11:00 a.m. in the OEQC Library.

SESSION 3: Fridays, June 7, 2002, and June 21, 2002; both days from 1:00 p.m. to 3:00 p.m. in the OEQC Library. To register for one of the above sessions, please call (808) 586-4185. Each session will be limited to **fifteen** registrants. Registrants will be asked to read OEQC's "A Guidebook for the Hawai'i State Environmental Review Process (October 1997)," as well Chapter 343, Hawai'i Revised Statutes, Chapter 200, Title 11, Hawai'i Administrative Rules. Seminar discussion materials will be provided. Each registrant will be asked to download their own copy of the October 1997 Guidebook. Registrants will also be asked to actively participate in the seminar discussions. Because of the unique nature of each seminar session, registrants will be asked not to switch between sessions. Sessions are free.



OEQC BULLETIN PUBLICATION FORM

(Follow instructions on other side)

Project Name:	
· ·	Final EA EIS prep notice draft EIS final EIS NEPA vised document supplemental document
Legal Authority:Agency determination:	
Applicable sections: use of state or county lands or funds use of conservation district lands use of shoreline area use of historic site or district Island: Judicial District: Tax Map Key Number:	 use of land in the Waikiki district amendment to county general plan reclassification of conservation lands construction or modification of helicopter facilities
Applicant or applicant agency:	Note for EAs: when the applicant is a state or
Address:	county agency, the applicant agency and
Contact:	approving agency are the same.
Approving Agency (EAs) or Accepting Au	uthority (EISs):
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Consultant:Address:	
Contact:	Phone:
Public Comment Deadline:	
Permits required prior to implementation: Project Summary (name of file):	
Public Library Copy:	(not required for final EAs)
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